

1 Katherine F. Parks, Esq. - State Bar No. 6227  
2 Thorndal Armstrong Delk Balkenbush & Eisinger  
3 6590 S. McCarran Blvd., Suite B  
4 Reno, Nevada 89509  
5 (775) 786-2882  
6 Attorneys for Defendant  
7 HARRY W. WHEELER

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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

JSB, a minor, by his parents and natural  
guardians MARINA DIAZ and JOSE DIAZ,

Plaintiffs,

vs.

CARSON CITY SHERIFF HARRY W.  
WHEELER,

Defendants.

CASE NO. 3:14-cv-00436-LRH-WGC

**DEFENDANT'S NOTICE OF  
ACCEPTANCE OF OFFER OF  
JUDGMENT**

COMES NOW Defendant, CARSON CITY SHERIFF HARRY W. WHEELER, by and  
through his attorneys of record, Thorndal Armstrong Delk Balkenbush & Eisinger, and pursuant  
to FRCP 68(a) hereby serves notice of his acceptance of the Plaintiff's offer of judgment, a true  
and correct copy of which is attached hereto as Exhibit 1.

DATED this 22<sup>nd</sup> day of June, 2017.

THORNDAL ARMSTRONG  
DELK BALKENBUSH & EISINGER

By: / s / *Katherine F. Parks*

Katherine F. Parks, Esq.  
State Bar No. 6227  
6590 S. McCarran Blvd., Suite B  
Reno, Nevada 89509  
(775) 786-2882  
Attorneys for Defendant  
CARSON CITY DEPUTY SHERIFF  
HARRY W. WHEELER

**CERTIFICATE OF SERVICE**

Pursuant to FRCP 5(b), I certify that I am an employee of THORNDAL ARMSTRONG DELK BALKENBUSH & EISINGER, and that on this date I caused the foregoing **DEFENDANT'S NOTICE OF ACCEPTANCE OF OFFER OF JUDGMENT** to be served on all parties to this action by:

\_\_\_\_\_ placing an original or true copy thereof in a sealed, postage prepaid, envelope in the United States mail at Reno, Nevada.

☒ United States District Court, District of Nevada CM/ ECF (Electronic Case Filing)

\_\_\_\_\_ personal delivery

\_\_\_\_\_ facsimile (fax)

\_\_\_\_\_ Federal Express/UPS or other overnight delivery

fully addressed as follows:

**Luke Busby, Esq.**  
**216 East Liberty Street**  
**Reno, NV 89501**  
*Attorney for Plaintiffs*

DATED this 22<sup>nd</sup> day of June, 2017.

/ s / **Sam Baker**  
An employee of THORNDAL ARMSTRONG  
DELK BALKENBUSH & EISINGER

**INDEX OF EXHIBITS**

<b>EXHIBIT</b>	<b>DESCRIPTION</b>	<b>NO. OF PAGES</b>
1	Offer of Judgment	2

**EXHIBIT 1 –  
“Offer of Judgment”**

**EXHIBIT 1 –  
“Offer of Judgment”**

1 Luke Busby, Esq.  
2 216 East Liberty Street  
3 Reno, Nevada 89501  
4 (775) 453-0112 (Dial Area Code)  
5 (775) 403-2192 (Fax)  
6 www.lukeandrewbusbyltd.com  
7 luke@lukeandrewbusbyltd.com

8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

10 JSB, a minor, by his parents and natural  
11 guardians MARINA DIAZ and  
12 JOSE DIAZ.

13 Plaintiff,

Case No.: 3:14-cv-00436-LRH-WGC

14 vs.

15 CARSON CITY DEPUTY SHERIFF  
16 HARRY W. WHEELER,

17 Defendant,  
18 \_\_\_\_\_/

19 OFFER OF JUDGMENT

20 1. Pursuant to Rule 68 of the Nevada Rules of Civil Procedure ("NRCP"), Plaintiffs offer  
21 to allow judgment to be taken in favor of the Plaintiffs to resolve all claims in the above captioned  
22 matter for forty-nine thousand nine hundred ninety-nine dollars and ninety-nine cents  
23 (\$49,999.99). This is a lump sum offer and includes all interest, costs, attorney's fees or damages  
24 otherwise incurred in this matter.

25 2. This an offer of compromise submitted for the purposes of NRCP 68.

26 3. If not accepted within 10 days of the date of service of this offer, the offer shall be  
27 deemed to be withdrawn.

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1 RESPECTFULLY submitted this Monday, June 5, 2017.

2  
3 By: 

4 Luke Busby, Esq.  
5 216 East Liberty Street  
6 Reno, Nevada 89501  
7 (775) 453-0112 (Dial Area Code)  
8 (775) 403-2192 (Fax)  
9 www.lukeandrewbusbyltd.com  
10 luke@lukeandrewbusbyltd.com

11 **CERTIFICATE OF SERVICE**

12 I hereby certify that on Monday, June 5, 2017, I electronically transmitted the forgoing  
13 pleading to document to the Clerk's Office using the CM/ECF System for filing and transmittal  
14 of a Notice of Electronic Filing to all counsel registered to receive Electronic Filings and/or I  
15 mailed the forgoing pleading to the address below by US Mail postage prepaid.

16 Katherine F. Parks, Esq.  
17 Thorndal Armstrong  
18 6590 S. McCarran Blvd. Suite B.  
19 Reno, NV 89509  
20 Attorney for the Defendant

21 By: 

22 Luke Busby  
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